

PATENT

Atty. Dkt. No. YOR920030508US1

REMARKS

In view of the following discussion, the Applicants submit that none of the claims now pending in the application are anticipated under the provisions of 35 U.S.C. §102. Thus, the Applicants believe that all of the presented claims are in condition for allowance.

I. REJECTION OF CLAIMS 1-17 AND 19-38 UNDER 35 U.S.C. §102

The Examiner rejected claims 1-17 and 19-38 as being anticipated under 35 U.S.C. §102(e) by the Boivie et al. patent (U.S. Patent No. 6,625,773, issued September 23, 2003, hereinafter referred to as "Boivie"). In response, the Applicants have amended independent claims 1, 9, 17, 23, and 32 in order to more clearly recite aspects of the present invention.

The Examiner's attention is respectfully directed to the fact that Boivie fails to teach or suggest a method for distributing content in which a sender of a packet defines the intermediate receivers or nodes through which the packet should travel to a receiver, as recited in Applicants' independent claims 1, 9, 17, 23 and 32.

By contrast, the system taught by Boivie includes a plurality of routers that "perform a route table lookup to determine the 'next hop' for each of the destinations listed in [a] packet" (Boivie, column 4, lines 20-21, emphasis added). That is, the path for packet forwarding (*i.e.*, the series of routers or intermediate receivers through which the packet passes) is determined by the routers, which use locally stored information (*i.e.*, the lookup tables) in order to determine the path "on the fly". The path is not defined in advance by the sender of the packet, as recited in independent claims 1, 9, 17, 23, and 32. Thus, the sender in Boivie's system may define who receives a packet, but the sender has no control over how the packet gets to the receivers (*i.e.*, the paths that the packet travels through the network). Moreover, nowhere in Boivie is it stated or suggested that the sender may define which routers (intermediate receivers) the packet should travel through to reach the receivers.

Thus Boivie fails to teach or suggest a system in which the sender of a packet defines the intermediate receivers or nodes through which the packet should travel to a receiver, as recited in Applicants' independent claims 1, 9, 17, 23 and 32. This allows

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less information to be stored at and processed by the routers. Specifically, Applicants' claims 1, 9, 17, 23 and 32 positively recite:

1. A method for distributing content to a plurality of receivers, wherein said content is packetized into one or more packets, comprising:
 - establishing a multicast distribution tree rooted at a sender; and
 - directing transmission of each of the one or more packets along at least a portion of the multicast distribution tree, the at least a portion of the multicast distribution tree comprising one or more intermediate receivers through which the each of the one or more packets must travel to reach the plurality of receivers,
wherein the sender defines a different set of the one or more intermediate receivers for each of said one or more packets. (Emphasis added)
9. A method for distributing content to a plurality of receivers, wherein said content is packetized into at least one packet, comprising:
 - establishing a multicast distribution tree rooted at a sender; and
 - directing transmission of the at least one packet along at least a portion of the multicast distribution tree, the at least a portion of the multicast distribution tree comprising one or more intermediate receivers through which the at least one packet must travel to reach the plurality of receivers,
wherein the plurality of receivers and the one or more intermediate receivers are defined by the sender. (Emphasis added)
17. A system for distributing content to a computer network comprising:
 - a server adapted for sending at least one data packet, where said at least one data packet contains at least a portion of a multicast distribution tree defined by the server for distributing the at least one data packet to at least a first group of receivers, the at least a portion of the multicast distribution tree comprising one or more intermediate receivers through which the at least one data packet must travel to reach each receiver in the first group of receivers;
wherein both the server and the first group of receivers each comprise a packet forwarding mechanism. (Emphasis added)
23. A computer readable medium containing an executable program for distributing content to a plurality of receivers, wherein said content is packetized into one or more packets, where the program performs the steps of:
 - establishing a multicast distribution tree rooted at a sender; and
 - directing transmission of each of the one or more packets along at least a portion of the multicast distribution tree, the at least a portion of the multicast distribution tree comprising one or more intermediate receivers through which the each of the one or more packets must travel to reach the plurality of receivers,

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wherein the sender defines a different set of the one or more intermediate receivers for each of the one or more packets. (Emphasis added)

32. A computer readable medium containing an executable program for distributing content to a plurality of receivers, wherein said content is packetized into one or more packets, where the program performs the steps of:

establishing a multicast distribution tree rooted at a sender; and

directing transmission of the at least one packet along at least a portion of the multicast distribution tree, the at least a portion of the multicast distribution tree comprising one or more intermediate receivers through which the at least one packet must travel to reach the plurality of receivers,

wherein the plurality of receivers and the one or more intermediate receivers are defined by the sender. (Emphasis added)

Since Boivie fails to teach or suggest a system in which the sender of a packet defines the intermediate receivers or nodes through which the packet should travel to a receiver, Boivie does not teach or suggest each and every element of Applicants' independent claims 1, 9, 17, 23, and 32. Moreover, dependent claims 2-8, 10-16, 19-22, 24-31, and 33-38 depend, respectively, from independent claims 1, 9, 17, 23, and 32 and recite additional features. As such, and for at least the same reasons set forth above with respect to claims 1, 9, 17, 23, and 32, the Applicants submit that claims 2-8, 10-16, 19-22, 24-31, and 33-38 are also not anticipated and are allowable.

Therefore, Applicants contend that claims 1-17 and 19-38 are patentable over Boivie and, as such, fully satisfy the requirements of 35 U.S.C. §102(e). Thus, Applicants respectfully request that the rejection of claims 1-17 and 19-38 under 35 U.S.C. §102(e) be withdrawn.

II. CONCLUSION

Thus, the Applicants submit that all of the presented claims fully satisfy the requirements of 35 U.S.C. §102. Consequently, the Applicants believe that all of these claims are presently in condition for allowance. Accordingly, both reconsideration of this application and its swift passage to issue are earnestly solicited.

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If, however, the Examiner believes that there are any unresolved issues requiring the maintenance of the final action in any of the claims now pending in the application, it is requested that the Examiner telephone Mr. Kin-Wah Tong, Esq. at (732) 530-9404 so that appropriate arrangements can be made for resolving such issues as expeditiously as possible.

Respectfully submitted,

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